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MT LEGISLATIVE HISTORY

Chapter 208 1987

Bill H 13 S _____ Original bill & hist. ✓ C

H. Committee on Judiciary		S. Committee on ~~Judiciary~~ Judiciary	
Hearing Date(s) _____	C	Hearing Date(s) _____	C
1/12	C	2/5	C
_____	C	_____	C
_____	C	_____	C
Date Out 1/12	C	3/3	C

Did this bill originate in an interim committee? ✓ Yes ___ No

Committee Lien Laws Report N/A

HOUSE BILL NO. 13

INTRODUCED BY MERCER

BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE ON LIEN LAWS

IN THE HOUSE

JANUARY 5, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
JANUARY 12, 1987	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 13, 1987	PRINTING REPORT.
JANUARY 14, 1987	SECOND READING, DO PASS.
JANUARY 15, 1987	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 98; NOES, 1.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 21, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
MARCH 4, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 7, 1987	SECOND READING, CONCURRED IN.
MARCH 10, 1987	THIRD READING, CONCURRED IN. AYES, 49; NOES, 0.
	RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 16, 1987	RECEIVED FROM SENATE.
	SECOND READING, AMENDMENTS CONCURRED IN.
MARCH 17, 1987	THIRD READING, AMENDMENTS CONCURRED IN.
	SENT TO ENROLLING.

HOUSE BILL NO. 13

INTRODUCED BY MERCER

BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE ON LIEN LAWS

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 31-2-106, MCA, TO INCLUDE AS EXEMPT PROPERTY IN A BANKRUPTCY PROCEEDING ALL PROPERTY OF AN INDIVIDUAL DEBTOR EXEMPT FROM EXECUTION OF JUDGMENT AS PROVIDED IN THE MONTANA CODE ANNOTATED AND 11 U.S.C. 522(D)(10); AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY PROVISION."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 31-2-106, MCA, is amended to read:

"31-2-106. Exempt property -- bankruptcy proceeding. No individual may exempt from the property of the estate in any bankruptcy proceeding the property specified in 11 U.S.C. 522(d) except THAT PROPERTY SPECIFIED IN 11 U.S.C. 522(D)(10) AND THAT property exempt from execution of judgment as provided in 19-3-105, 19-4-706, 19-5-704, 19-6-705, 19-7-705, 19-8-805, 19-9-1006, 19-10-504, 19-11-612, 19-13-1004, Title 25, chapter 13, part 6, 33-7-511, 33-15-512 through 33-15-514, 35-10-502, 39-51-3105, 39-71-743, 39-73-110, 53-2-607, 53-9-129, Title 70, chapter 32, and 80-2-245."

NEW SECTION. SECTION 2. EFFECTIVE DATE -- APPLICABILITY. THIS ACT IS EFFECTIVE ~~JULY 1, 1987~~ ON PASSAGE AND APPROVAL AND APPLIES ~~ONLY~~ TO BANKRUPTCY PETITIONS ~~FILED ON OR AFTER JULY 1, 1987~~ IN WHICH DISCHARGE TAKES PLACE ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.

-End-

REFERENCE BILL

March 3 87

19

MR. PRESIDENT

We, your committee on SENATE JUDICIARY

having had under consideration HOUSE BILL No 13

third XXXX reading copy (blue color)

Exempt in bankruptcy action all property of individual exempt under MCA
Rep Mercer (Senator Halligan)

Respectfully report as follows: That HOUSE BILL No 13

be amended as follows:

1. Title, line 10.
Following: "ANNOTATED"
Insert: "AND 11 U.S.C. 522(d)(10)"

2. Page 1, line 18.
Following: "except"
Insert: "that property specified in 11 U.S.C. 522(d)(10) and that"

3. Page 2, line 1.
Following: "EFFECTIVE"
Strike: "July 1, 1987,"
Insert: "on passage and approval"

4. Page 2, line 2.
Following: "APPLIES"
Strike: "ONLY"

5. Page 2, lines 2 and 3.
Following: "PETITIONS" on line 2
Strike: the remainder of line 2 through "1987" on line 3
Insert: "in which discharge takes place on or after the effective date of this act"

KMK

XXXXXXX AND AS AMENDED

XXXXXXXXX BE CONCURRED IN

Chairman.

JUDICIARY COMMITTEE

50TH LEGISLATIVE SESSION

1987

Committee Members	District
Rep. Earl Lory, Chairman	59
Rep. John Mercer, Vice Chairman	50
Rep. Kelly Addy	94
Rep. Dave Brown	72
Rep. Tom Bulger	37
Rep. John Cobb	42
Rep. Fritz Daily	69
Rep. Paula Darko.	2
Rep. Ralph Eudaily	60
Rep. Leo Giacometto	24
Rep. Bud Gould	61
Rep. Ed Grady	47
Rep. Tom Hannah	86
Rep. Vernon Keller	83
Rep. Al Meyers	53
Rep. Joan Miles	45
Rep. Paul Rapp-Svrcek	51
Rep. Bill Strizich	41

Secretary

Renee Podell

Staff

John McMaster

Form CS-32
Rev. 1985

STATUS SHEET

50TH LEGISLATIVE SESSION

JUDICIARY COMMITTEE

HOUSE BILL NUMBER	ENTERED COM. DATE	DATE CON-SIDERED	OUT OF COM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMENDED DATE	DO NOT PASS AS AMENDED DATE	BE CON-CURRED IN DATE	BE NOT CON-CURRED IN DATE	BE CON-CURRED IN AMENDED DATE	BE NOT CONCURRED IN AS AMENDED DATE
13	12/29/87	1/12/87	1/12/87			1/12/87					
19	12/29/87	1/12/87	1/14/87			1/14/87					
21	12/29/87	1/7/87	1/9/87			1/9/87					
37	12/29/87	1/8/87	1/9/87			1/9/87					
42	12/29/87	1/9/87	1/9/87			1/9/87					
45	12/29/87	1/7/87	tabled 2/12/87								
53	1/2/87	1/9/87	1/9/87	1/9/87							
57	1/87	2/17/87 2/5/87	tabled 2/20/87								
70	1/5/87	1/15/87	2/2/87				2/2/87				
72	1/5/87	1/16/87	1/23/87		1/23/87						
73	1/5/87	1/14/87	1/22/87			1/22/87					
77	1/5/87	1/13/87	1/13/87			1/13/87					
78	1/5/87	1/13/87	tabled 2/12/87			2/19/87					
79	1/5/87	1/13/87	1/23/87			1/22/87					

MINUTES OF THE MEETING
JUDICIARY COMMITTEE
REPORT TO THE 50TH LEGISLATIVE SESSION

January 12, 1987

The meeting of the Judiciary Committee was called to order by Chairman Earl Lory on January 12, 1987, at 8:00 a.m. in Room 312-D of the State Capitol.

ROLL CALL: All members were present.

HOUSE BILL NO 13, Rep. Mercer, sponsor, submitted this bill by request of the joint interim subcommittee on lien laws. This bill amends section 31-2-106, MCA, to include as exempt property in a bankruptcy proceeding all property of an individual debtor exempt from execution of judgment as provided in the Montana Code Annotated. Rep. Mercer stated that this bill lays the ground work for who should have lien rights and who should not. The bankruptcy act did not exempt many items and it appeared many items were limited. This bill clarifies property exempt in bankruptcy proceedings when it is in an estate.

SUPPORTERS:

ROBERT C. PYFER, Vice President, Governmental Relations for the Montana Credit Unions League, feels this is a good bill.

No further supporters and no opponents.

REP. MERCER closed the hearing on HB #13.

HOUSE BILL NO. 19, Rep. Mercer sponsor, submitted this bill by request of the interim subcommittee on lien laws. This bill deals with the general revision of laws relating to property exempt from execution and repeals sections 25-13-611 through 25-13-613, 25-13-616, and 25-13-617, MCA. Rep. Mercer explained how this bill sets out procedure covering homesteads and estates. The bill removes many unfair, confusing and inequitable listings of specific exempt property and substitutes general categories with dollar limitations.

SUPPORTERS:

ROBERT C. PYFER, Vice President, Governmental Relations for the Montana Credit Unions League, submitted written testimony. (Exhibit A). He feels HB #19 represents a true modernization of archaic exemption laws but objected to the large dollar amounts that are set for certain categories of property. He submitted amendments. (Exhibit B). Mr. Pyfer

ACTION ON HOUSE BILL NO. 13

REP. ADDY moves DO PASS.

REP. MERCER questions the effective date and suggests an amendment be made. Rep. Miles supports this and states we need to clarify this as soon as possible. Rep. Mercer moves the amendment to include an effective date of July 1. Question is called for and a voice vote is taken with all members voting IN FAVOR. HB #13 DO PASS AS AMENDED.

ADJOURNMENT: Motion having been made and seconded and there being no further business to come before this committee, the hearing was adjourned at 11:00 a.m.

Earl Lory

REP. EARL LORY, Chairman

DAILY ROLL CALL

JUDICIARY COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date Jan. 13, 1987

NAME	PRESENT	ABSENT	EXCUSED
EARL LORY (R)	✓		
JOHN MERCER (R)	✓		
KELLY ADDY (D)	✓		
DAVE BROWN (D)		✓	✓
TOM BULGER (D)	✓		
JOHN COBB (R)	✓		
FRITZ DAILY (D)	✓	✓	
PAULA DARKO (D)	✓		
RALPH EUDAILY (R)	✓		
LEO GIACOMETTO (R)	✓		
BUDD GOULD (R)	✓		
ED GRADY (R)	✓	✓	
TOM HANNAH (R)	✓	✓	
VERNON KELLER (R)	✓		
AL MYERS (R)	✓		
JOAN MILES (D)	✓	✓	
PAUL RAPP-SVRCEK (D)	✓		
BILL STRIZICH (D)	✓		
JOHN McMASTER			

CS-30

STANDING COMMITTEE REPORT

January 12, 1987

Mr. Speaker: We, the committee on JUDICIARY

report on House Bill No. 13

XX do pass
do not pass

☐ be concurred in
☐ be not concurred in

XX ☐ as amended
☐ statement of intent attached

Chairman

AN ACT TO AMEND SECTION 31-2-106, MCA, TO INCLUDE AS EXEMPT PROPERTY IN A BANKRUPTCY PROCEEDING ALL PROPERTY OF AN INDIVIDUAL DEBTOR EXEMPT FROM EXECUTION OF JUDGMENT AS PROVIDED IN THE MONTANA CODE ANNOTATED."

AMENDMENTS TO HOUSE BILL NO. 13, INTRODUCED COPY, ADOPTED BY HOUSE JUDICIARY COMMITTEE.

1. Title, line 10.
Following: "ANNOTATED"
Insert: "; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY PROVISION"

2. Page 1.
Following: line 23
Insert: " NEW SECTION. Section 2. Effective date -- applicability. This act is effective on July 1, 1987, and applies only to bankruptcy petitions filed on or after July 1, 1987."

FIRST reading copy (WHITE color)

MONTANA STATE SENATE

JUDICIARY COMMITTEE

50TH LEGISLATURE

COMMITTEE MEMBERS: Senator Joe Mazurek, Chairman
Senator Bruce Crippen, V. Chairman
Senator Tom Beck
Senator Al Bishop
Senator Chet Blaylock
Senator Bob Brown
Senator Jack Galt
Senator Mike Halligan
Senator Dick Pinsoneault
Senator Bill Yellowtail

STAFF ATTORNEY: Valencia Lane

COMMITTEE SECRETARY: Mary Huber

BOOK: 1 of 4

INCLUSIVE DATES: January 6 - January 30, 1987

COMMITTEE (S) JUDICIARY RUN DATE.... 04/22/87

CHAIRMAN- SEN. JOE MAZUREK SECRETARY-MARY HUBER
NORMAL SCHEDULE==> SITE: ROOM 325 DAYS: MON THRU FRI TIME: 10:00 A.M.

--BILL NO---	REFER DATE---	HEARING DATE---	CONSIDERATION DATES----------	COMMITTEE ACTION----------	REREFERRED TO COMM----	DATE OUT-
HB0013	1/21	2/05		CONCUR AS AMENDED		3/3
MERCER, JOHN			EXEMPT IN BANKRUPTCY ACTION ALL PROPERTY OF INDIVIDUAL EXEMPT UNDER MCA			
HB0019	1/24	2/05		CONCUR AS AMENDED		3/9
MERCER, JOHN			GENERAL REVISION OF LAWS RELATING TO PROPERTY EXEMPT FROM EXECUTION			
HB0021	1/21	2/05		CONCUR AS AMENDED		3/4
FRITZ, HARRY			RAISE LEGAL DRINKING AGE FROM 19 TO 21; PROVIDE EFFECTIVE DATES			
HB0037	1/21	2/10		CONCUR		3/5
BRADLEY, DOROTHY			DEFENDANT'S RECORD EXPUNGED UPON DISMISSAL OF CHARGES			
HB0042	1/21	3/03		CONCUR AS AMENDED		3/3
COBB, JOHN			CLARIFY LEGAL STANDARD GOVERNING LANDOWNER LIABILITY			
HB0053	1/21	3/03		CONCUR		3/11
EUDAILY, RALPH			GENERALLY REVISE MCA			
HB0058	1/27	3/04		CONCUR		3/4
KEENAN, NANCY			LET PSYCHOLOGISTS EXAMINE PERSONS WHEN MENTAL DEFECT IS A CRIMINAL ISSUE			
HB0065	1/21	3/04		CONCUR		3/4
PECK, RAY			SERVING OUT TRAFFIC FINES AT $10 PER DAY			
HB0073	3/03			CONCUR AS AMENDED		3/21
BRADLEY, DOROTHY			APPLICATION OF MOTOR VEHICLE LAWS TO MINORS -- EXCEPT PENALTY IMPOSITION			
HB0077	1/21	2/12		CONCUR		3/4
BROWN, JAN			ALLOWS PATERNITY ACTION BY STATE AGENCY UNTIL CHILD BECOMES 21 YEARS OF AGE			
HB0078	3/02	3/13		CONCUR AS AMENDED		3/19
BROWN, JAN			PERMIT ATTACHMENT OR GARNISHMENT OF WORKERS' COMP. TO PAY CHILD SUPPORT			

Senator Blaylock asked if the credit unions would be at a disadvantage if the values were increased to where they were. Mr. Kirkland said they would be, with regret. He said the values in the bill is all the credit unions can take.

Senator Mazurek asked why the probate code was discussed in the spouse's homestead election. Rep. Mercer replied he brought it up in the House Judiciary. He said if a thousand creditors were after him today, he could protect his homestead for $40,000, but if he dies, the protection dies with him. The House Judiciary Committee felt a man's children should have the right to inherit this protection. Senator Mazurek said it is not clear in the bill that we are playing with the spouse's elective share to the right of a homestead allowance. He asked if the State Bar section on Probate Code knows about this change in the probate law. Representative John Mercer said they didn't. Rep. Mercer said the Homestead allowance is a version of the Homestead Exemption.

In closing the hearing on House Bill 19, Rep. Mercer distributed a copy of the current law. (Exhibit 7)

CONSIDERATION OF HOUSE BILL 13: Representative John Mercer, House District 50, introduced the bill, which is by request of the Joint Interim Subcommittee on Lien Laws. (Exhibit 8)

PROPONENTS: Jeff Kirkland, Montana Credit Union League, supported the bill.

Cort Harrington, representing himself, presented amendments which will cover many more people and the amendments move the effective date from July 1, 1987, to the approval date of the bill by the legislature. (Exhibit 9) He gave an example of a man whose business failed. He pointed out that the man's wife's name was on the debts, so it brought all her assets into the bankruptcy. He said these amendments will help the people that get themselves in a bind with the bankruptcy laws.

Senator Severson, Senate District 32, supported the bill.

OPPONENTS: There were none.

DISCUSSION ON HOUSE BILL 13: Senator Bishop questioned why the bill doesn't exempt private retirement benefits. Rep. Mercer replied that problem covers the whole system.

He said one couldn't fix the problem of private retirement benefits in this bill. Rep. Mercer said the private retirement benefits problem should be addressed in HB 19.

Representative Mercer closed by saying he agreed with the Harrington amendment.

EXECUTIVE ACTION

ACTION ON SENATE BILL 173: Senator Halligan moved the bill DO PASS. The motion CARRIED with Senator Crippen voting no.

ACTION ON SENATE BILL 220: Senator Yellowtail said he had talked to a few clerks of court, and they supported the bill. He suggested striking the "per name" part of the bill. Senator Pinsoneault suggested an hourly charge. Senator Galt said not everyone will use a full hour to look something up. Senator Galt MOVED on page 2, line 3, and page 4, line 8, to strike "per name" and insert a maximum of $25. Senator Beck suggested a charge for every two hours. Senator Yellowtail explained some people will not take advantage of the records and files if they know it will cost $25. The motion carried.

Senator Yellowtail moved the bill DO PASS AS AMENDED. The motion carried.

ADJOURNMENT: The meeting adjourned at 12:00 noon.

SENATOR JOE MAZUREK, Chairman

mh

ROLL CALL

Judiciary COMMITTEE

50th LEGISLATIVE SESSION -- 1987 Date Feb. 5, 1987

NAME	PRESENT	ABSENT	EXCUSED
Senator Joe Mazurek, Chairman	X		
Senator Bruce Crippen, Vice Chairman	X		
Senator Tom Beck	X		
Senator Al Bishop	X		
Senator Chet Blaylock	X		
Senator Bob Brown	X		
Senator Jack Galt	X		
Senator Mike Halligan	X		
Senator Dick Pinsoneault	X		
Senator Bill Yellowtail	X		

Each day attach to minutes.

DATE (Feb. 3rd FEB

COMMITTEE ON

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One: Support	Oppose
Jeff Kirkland	Montana Credit Unions League	HB 13	✓	
Jeff Kirkland	" " " "	HB 19	✓	
[illegible]	[illegible]			
[illegible] Morrison	DOR	HB170		
[illegible]	MT Assn	HB 21	✓	
[illegible]	DOR	HB21	✓	
NICK MALES	SELF	HB 21		
Curt Harrington	Self	HB13	✓	
M.F. "Micky" Nelson, Coroner	Lewis & Clark Co. DUI Task Force	HB 21	—	
[illegible]	M M C	HB21	✓	
[illegible]	S. A M.	HB21	✓	
[illegible]	self	HB21	✓	
Michael Mathson	self	HB21	✓	
[illegible]	self	HB.21		
[illegible]	MTBC	HB19	✓	

(Please leave prepared statement with Secretary)

EXHIBIT NO. 8
DATE Feb. 5th
BILL NO. HB 13

SUMMARY OF HB13 (MERCER)

(Prepared by Senate Judiciary Committee staff)

HB13 is by request of the Joint Interim Subcommittee on Lien Laws. It amends state law to comply with a federal bankruptcy law requirement that state law exemptions from bankruptcy must be specifically listed (rather than just generally referred to in state law). Bankruptcy proceedings are handled in a special bankruptcy court of the federal court system. Apparently, federal bankruptcy law allows states a choice between using the exemptions (for property that is exempt from bankruptcy proceedings) in the federal law or using the exemptions in state law. However, if a states chooses to use the exemptions used in state law, the exemptions must be clearly stated in one section or have all exemption statutes clearly referred to one statute. The following state statutes relating to property exempt from execution of judgments are now listed in the state statute (Section 31-2-106, MCA):

19-3-105 -- PERS benefits.

19-4-706 -- Teachers' retirement benefits.

19-5-704 -- Judges' retirement benefits.

19-6-705 -- Highway Patrol retirement benefits.

19-7-705 -- Sheriffs' retirement benefits.

19-8-805 -- Game Wardens' retirement benefits.

19-9-1006 -- Police retirement benefits (statewide).

19-10-504 -- Police retirement benefits (local).

19-11-612 -- Firefighters' retirement benefits (unincorporated cities and towns).

19-13-1004 -- Firefighters' Unified retirement benefits.

SENATE JUDICIARY
EXHIBIT NO. 9
DATE Feb. 5th, 1987
BILL NO. HB 13

AMENDMENT TO HOUSE BILL 13

1. Page 2, Line 1

   Following: "is effective"
   Strike: "July 1, 1987"
   Insert: "on passage and approval"

2. Page 2, Line 2

   Following: "applies"
   Strike: "only"

3. Page 2, Line 2

   Following: "bankruptcy petitions"
   Strike through line 3
   Insert: "in which discharge takes place on or after the effective date of this act."

Section 2 could then read:

This act is effective on passage and approval and applies to bankruptcy petitions in which discharge takes place on or after the effective date of the act.

thought a state could have different ages for these three things. She said the federal rule says "the" legal age, so it must be one age.

Senator Blaylock asked if this meant a kid working in a grocery store couldn't sell booze. Senator Mazurek said an exception has been made for jobs that sell alcohol.

Senator Brown said he was presuaded by Males' presentation, but now he felt a little differently about it. Valencia Lane handed out the technical amendments to HB 21. (Exhibit 9)

Senator Mazurek thought the committee should insert "final judgment" in the #8 amendment of Valencia's amendments, instead of "Supreme Court", because a case could go to any court anywhere below it until it runs out of appeals. Ms. Lane said Congress might change their mind, so it better say the "Congress remove" in that same amendment. Senator Halligan moved the amendments with changes. The motion carried. Senator Pinsoneault moved to have a gray bill. The motion carried.

ACTION ON HOUSE BILL 13: Senator Mazurek stated that property had always been exempt under bankruptcy court law, but now it is no longer exempt.

Ms. Lane said the amendments were presented by Cort Harrington but were suggested by Art Matteucci, who is an attorney in Great Falls and specializes in bankruptcy cases. She said he is proposing that you incorporate by reference, and it would amend the bill to say:

> "to include not only the property specified in specific sections that are mentioned in the bill, but also that property specified in 11 U.S.C. 522 (d)(10)."

Senator Mazurek inquired if this will protect social security benefits, veteran's benefits, disability, illness or unemployment benefits, alimony, etc. He found this on page 393. (Exhibit 10) Senator Mazurek asked if this would cover a private pension. Ms. Lane said it would.

Ms. Lane distributed the Cort Harrington amendments which were done technically. (Exhibit 11)

Senator Yellowtail moved the amendments. The motion carried.

Senator Halligan moved HB 13 BE CONCURRED IN AS AMENDED. The motion carried.

ADJOURNMENT: The meeting adjourned at 12:10 p.m.

SENATOR JOE MAZUREK, Chairman

mh

ROLL CALL

Judiciary COMMITTEE

50th LEGISLATIVE SESSION -- 1987 Date March 3

NAME	PRESENT	ABSENT	EXCUSED
Senator Joe Mazurek, Chairman	X		
Senator Bruce Crippen, Vice Chairman	X		
Senator Tom Beck	X		
Senator Al Bishop	X		
Senator Chet Blaylock	X		
Senator Bob Brown	X		
Senator Jack Galt	X		
Senator Mike Halligan	X		
Senator Dick Pinsoneault	X		
Senator Bill Yellowtail	X		

Each day attach to minutes.

STANDING COMMITTEE REPORT

March 3 87
..... 19.....

MR. PRESIDENT

We, your committee on SENATE JUDICIARY

having had under consideration HOUSE BILL No. 13

third XXXX reading copy (blue color)

Exempt in bankruptcy action all property of individual exempt under MCA
Rep Mercer (Senator Halligan)

Respectfully report as follows: That HOUSE BILL No. 13

be amended as follows:

1. Title, line 10.
Following: "ANNOTATED"
Insert: "AND 11 U.S.C. 522(d)(10)"

2. Page 1, line 18.
Following: "except"
Insert: "that property specified in 11 U.S.C. 522(d)(10) and that"

3. Page 2, line 1.
Following: "EFFECTIVE"
Strike: "July 1, 1987,"
Insert: "on passage and approval"

4. Page 2, line 2.
Following: "APPLIES"
Strike: "ONLY"

5. Page 2, lines 2 and 3.
Following: "PETITIONS" on line 2
Strike: the remainder of line 2 through "1987" on line 3
Insert: "in which discharge takes place on or after the effective date of this act"

XXXXXXX DO PASS AS AMENDED
BE CONCURRED IN
~~DO NOT PASS~~

.....
Chairman.